THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23056 OF 2005

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Dt:16.11.2005

Between:

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G.Jyothi and others

… Petitioners

and

The NTR University of Health Sciences

… Respondent

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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23056 OF 2005

ORDER:

The petitioners are the students of "Bachelor of Physiotherapy" course. All of them appeared in the eighth semester examinations held in June, 2005. The first petitioner was declared to have failed in the subject of 'Cardio", the second petitioner in the subject of 'Artho' and the third petitioner in the subjects of 'Cardio and Neuro'. They contend that they were assigned very low marks though they have performed well in the examinations. It is also stated that during the last academic year, the respondent-University constituted an Expert Committee and on the basis of

the decision taken by the Committee, twenty marks were added to all the candidates and such a facility was not extended during the current academic year. They seek similar facility for them.

The respondent filed counter-affidavit. It is stated that the results of eighth semester during the previous academic year were as low as 25% and since they have been faced with an unprecedented situation, a Committee was constituted. It is stated that on a detailed verification of the matter, a policy decision was taken to add twenty marks to tide over the situation. So far as the current academic year is concerned, the respondent states that as against the total number of 847 candidates in the eighth semester, 451 candidates have passed. On the basis of the representation made by the students, five grace marks in any one subject are said to have been added and as a result, 121 more candidates have been declared passed. It is urged that the petitioners did not pass the examination even after the grace marks were added.

Heard the learned counsel for the petitioner and learned standing counsel for the respondent-University.

The petitioners were declared failed in the eighth semester in the course. There is no provision of revaluation of the answer scripts. It is true that the respondents have taken a policy decision to add certain marks in the previous academic year on account of the fact that the results were as low as 25%. Same is not the situation during the current academic year. In the first instance itself, more than 50% of the candidates passed in the examination. On addition of five grace marks, about 121 candidates were declared passed. The constitution of Expert Committee was on account of any extraordinary situation faced by the University. It cannot be treated as a regular feature. The petitioners did not plead any facts that warrant an inference as to any irregularity or undue hardship. This Court does not find any basis to grant any relief to the petitioners.

The writ petition is accordingly dismissed.

15.11.2005

kdl